

**AGENDA**  
**CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT**  
**Friday, April 2, 2004 AT 1:00 P.M.**  
**ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR**

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**NEW CASES**

- V-04-28**    Application of **Center Hill Baptist Church** for a variance from the zoning regulations to reduce the distance from the property line from the required 30 feet to 6 feet. Property is located at **1302 NORTHWEST DRIVE, N.W.**, and fronts 80 feet on the west side of Northwest Drive, beginning 1,216 feet south of the intersection of Northwest Drive and the extension of Proctor Drive. Zoned R-5 (Two-Family Residential) District. Land Lot 258 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Center Hill Baptist Church**  
**Council District 9, NPU-G**
- V-04-29**    Application of **Paul Barlow** for a variance from the zoning regulations to reduce the north side yard setback from the required 5 feet to 1 foot, for a landing and stair addition to a single-family, detached house. Property is located at **782 MARTIN STREET, S.E.**, and fronts 50 feet on the east side of Martin Street, beginning at the northeast corner of Martin Street and Little Street. Zoned R-4B (Single-Family Residential) District. Land Lot 54 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Paul Barlow**  
**Council District 1, NPU-V**
- V-04-30**    Application of **Jeff Lupton** for a special exception from the zoning regulations to reduce the parking on Tract 1 (i.e., one lot of a property that would be subdivided into three lots). Property is located at **1198 HOWELL MILL ROAD, N.W.**, and fronts 191.3 feet on the west side of Howell Mill Road, beginning at the northwest corner of Howell Mill Road and the northern right-of-way of the Norfolk-Southern Railway. Zoned I-2 (Heavy Industrial) District. Land Lot 150 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Rock West Investments II**  
**Council District 9, NPU-D**
- V-04-31**    Application of **Brendan Walsh** for variances from the zoning regulations to 1) reduce the front yard setback from the required 20 feet to 10 feet, 2) reduce the half-depth front yard setback from the required 10 feet to 9 feet, 3) reduce the west side yard setback from the required 5 feet to 0 feet, for construction of a new, single-family, detached house. Property is located at **95 BILL LUCAS DRIVE, S.E., (a.k.a. 95 Love Street)**, and fronts 35 feet on the south side of Bill Lucas Drive, beginning at the southeast corner of Bill Lucas Drive and Terry Street. Zoned R-4B (Single-Family Residential) District. Land Lot 54 of the 14<sup>th</sup> District.  
**Owner: DeLand Development Corp.**  
**Council District 2, NPU-V**

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- V-03-34** Application of **Mark Root** for a variance from the zoning regulations to reduce the south side yard setback from the required 7 feet to 4 feet, for a second story addition. Existing duplex would be converted to a single-family, detached house. Property is located at **439 CANDLER STREET, N.E.**, and fronts 50 feet on the east side of Candler Street, beginning 460 feet north of the northeast corner of Candler Street and McLendon Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 240 of the 15<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Lacy Hustoun**  
**Council District 6, NPU-N**
- V-04-35** Application of **Andy Oxley** for a variance from the zoning regulations to 1) reduce the transitional southeast side yard from the required 20 feet to 5 feet, and 2) reduce the transitional southwest side yard from the required 20 feet to 5 feet, to allow for the construction of a multifamily residential development. Property is located at **1060 HARWELL ROAD, N.W.**, and fronts 495 feet on the west side of Harwell Road, beginning 637 feet south of the southwest intersection of Harwell Road and Bankhead Highway. Zoned C-2 (Commercial Service) District. Land Lot 260 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Andy Oxley**  
**Council District 9, NPU-I**
- V-04-36** Application of **David Fowler** for variances from the zoning regulations to 1) reduce the rear yard setback from the required 15 feet to 5 feet, for construction of a detached garage, and 2) allow the garage to project in front of the main structure in the half-depth front yard setback. Property is located at **980 E. ROCK SPRINGS ROAD, N.E.**, and fronts 92.3 feet on the north side of E. Rock Springs Road, beginning at the northwest corner of E. Rock Springs Road and West Sussex Road. Zoned R-4 (Single-Family Residential) District. Land Lot 3 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owners: Brooks Koella and Craig Heiser**  
**Council District 6, NPU-F**
- V-04-38** Application of **Tim Hartigan** for variances from the zoning regulations to 1) reduce the total open space from the required 116,704 square feet (89%) to 97,951 square feet (75%) and 2) reduce the total usable open space from the required 67,393 square feet (51%) to 61,445 square feet (47%), for a multifamily residential addition to an existing multifamily residential development. Property is **875 and 883 KIRKWOOD AVENUE, S.E. and 176 CHESTER AVENUE, S.E. (a.k.a. 174 CHESTER AVE., S.E.)**, and fronts 361.1 feet on the south side of Kirkwood Avenue, beginning 115 feet east of the southeast intersection of Kirkwood Avenue and Chester Avenue. Zoned C-2-C (Community Business-Conditional) District. Land Lot 13 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Matt Ornstein**  
**Council District 5, NPU-N**

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- V-04-39**    Application of **Edrick Harris for Russell New Urban Development, LLC** for variances from the zoning regulations to 1) reduce the front yard setback from the required 40 feet to 0 feet and 2) reduce the half-depth front yard setback from the required 20 feet to 0 feet, for construction of a commercial building. Property is located at **461, 465, and 471 NELSON STREET, N.W.**, and fronts 216.7 feet on the north side of Nelson Street, beginning at the intersection of Nelson Street and Northside Drive. Zoned I-1 (Light Industrial) District. Land Lot 84 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: H.J. Russell & Carver Bible Institute**  
**Council District 2, NPU-M**
- V-04-40**    Application of **Brian Lynn** for a variance from the zoning regulations to reduce the south side yard setback from the required 7 feet to 2 feet, for a second story addition to a single-family, detached house. Property is located at **1838 WINDEMERE DRIVE, N.E.**, and fronts 70 feet on the west side of Windemere Drive, beginning 482.3 feet north of the northwest corner of Windemere Road and Wildwood Road. Zoned R-4 (Single-Family Residential) District. Land Lot 50 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Brian Lynn**  
**Council District 6, NPU-F**
- V-04-41**    Application of **Chris Lenz** for a variance from the zoning regulations to reduce the north side yard setback from the required 7 feet to 3 feet, for a garage addition to a single-family, detached house. Property is located at **1745 HOMESTEAD AVENUE, N.E.**, and fronts 85 feet on the south side of Homestead Avenue, beginning 553 feet north of the northeast intersection of Homestead Avenue and Inverness Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 56 of the 18<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Sandra Watson**  
**Council District 6, NPU-F**
- V-04-42**    Application of **Sawgrass Homes, LLC** for a special exception from the zoning regulations to allow for a shared driveway for 1081 & 1085 Avondale Avenue, where two independent driveways from public streets would otherwise be required. Property is located at **1081 and 1085 AVONDALE AVENUE, S.E.**, and fronts 102 feet on the west side of Avondale Avenue, beginning 153 feet south of the southwest intersection of Avondale Avenue and Hamilton Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 23 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Sawgrass Homes, LLC**  
**Council District 1, NPU-W**

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- V-04-43**    Application of **Brian LeSage** for a variance from the zoning regulations to reduce the front yard setback from the required 30 feet to 15 feet, for construction of a single-family, detached house. Property is located at **547 FOUNDRY STREET, N.W.**, and fronts 36 feet on the north side of Foundry Street, beginning at the northwest corner of Foundry Street and Maple Street. Zoned R-5 (Two-Family Residential) District. Land Lot 83 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Art Rappaport**  
**Council District 3, NPU-L**

**DEFERRED CASES**

- V-03-367**    Application of **Tracy Dean** for a special exception from the zoning regulations to allow for construction of a 6-foot high fence gate with 6-foot, 6-inch brick columns, in the front yard setback where up to a 4-foot high fence is otherwise allowed. Property is located at **2859 HOWELL MILL ROAD, N.W.**, and fronts 100 feet on the northeast side of Howell Mill Road, beginning 1,873 feet from the southeast corner of Howell Mill Road and Moores Mill Road. Zoned R-3 (Single-Family Residential) District. Land Lot 183 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Tracy Dean**  
**Council District 8, NPU-C**
- V-03-386**    Application of **Ernest F. Brathwaite** for a variance from the zoning regulations to allow for a new institutional identification sign to be located closer than the required minimum of 30 feet from the property line. Property is located at **480 CLIFTON STREET, S.E.**, and fronts 594 feet on the east side of Clifton Street, beginning at the northeast corner of Clifton Street and Glenwood Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 178 of the 15<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Atlanta Public Schools**  
**Council District 5, NPU-W**
- V-03-388**    Application of **Hwue Mu Hsieh** for a variance from the zoning regulations to allow for parking in the required half-depth front yard setback where it is otherwise not allowed. Property is located at **380 FLAT SHOALS AVENUE, S.E.**, and fronts 74 feet on the east side of Flat Shoals Avenue, beginning at the northeast corner of Flat Shoals Avenue and McPherson Avenue. Zoned NC-2 (East Atlanta Neighborhood Commercial District). Land Lot 177 of the 15<sup>th</sup> District, DeKalb County, Georgia.  
**Owner: Hwue Mu Hsieh**  
**Council District 5, NPU-W**

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- V-03-389** Application of **Cris Connelly** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 21 feet, 2) reduce the west side yard setback from the required 7 feet to 4 feet, 3) reduce the rear yard setback from the required 15 feet to 7 feet, to allow for construction of a new, single-family detached house with detached garage. Property is located at **851 MERCER STREET, S.E.**, and fronts 46 feet on the south side of Mercer Street, beginning at the southeast corner of Mercer Street and Mercer Place. Zoned R-4 (Single-Family Residential) District. Land Lot 11 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Paul Weathersby**  
**Council District 1, NPU-W**
- V-03-390** Application of **Cris Connelly** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 21 feet, 2) reduce the east side yard setback from the required 7 feet to 4 feet, and 3) reduce the rear yard setback from the required 15 feet to 7 feet, to allow for construction of a new, single-family, detached house with detached garage. Property is located at **861 MERCER STREET, S.E.**, and fronts 50 on the south side of Mercer Street, beginning 46 feet from the southeast corner of Mercer Street and Mercer Place. Zoned R-4 (Single-Family Residential) District. Land Lot 11 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Paul Weathersby**  
**Council District 1, NPU-W**
- V-03-391** Application of **Cris Connelly** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 21 feet, 2) reduce the west side yard setback from the required 7 feet to 4 feet, and 3) reduce the rear yard setback from the required 15 feet to 7 feet, to allow for construction of a new, single-family, detached house with detached garage. Property is located at **865 MERCER STREET, S.E.**, and fronts 50 on the south side of Mercer Street, beginning 96 feet from the southeast corner of Mercer Street and Mercer Place. Zoned R-4 (Single-Family Residential) District. Land Lot 11 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Paul Weathersby**  
**Council District 1, NPU-W**
- V-03-392** Application of **Cris Connelly** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 21 feet, 2) reduce the west side yard setback from the required 7 feet to 4 feet, and 3) reduce the rear yard setback from the required 15 feet to 7 feet, to allow for construction of a new, single-family, detached house with detached garage. Property is located at **875 MERCER STREET, S.E.**, and fronts 50 on the south side of Mercer Street, beginning 196 feet from the southeast corner of Mercer Street and Mercer Place. Zoned R-4 (Single-Family Residential) District. Land Lot 11 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Paul Weathersby**  
**Council District 1, NPU-W**

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- V-03-393** Application of **Cris Connelly** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 21 feet, 2) reduce the east side yard setback from the required 7 feet to 4 feet, and 3) reduce the rear yard setback from the required 15 feet to 7 feet, to allow for construction of a new, single-family, detached house with detached garage. Property is located at **885 MERCER STREET, S.E.**, and fronts 50 on the south side of Mercer Street, beginning 2466 feet from the southeast corner of Mercer Street and Mercer Place. Zoned R-4 (Single-Family Residential) District. Land Lot 11 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Paul Weathersby**  
**Council District 1, NPU-W**
- V-03-394** Application of **Serge Watson** for a variance from the zoning regulations to construct a new accessory structure (i.e., a detached garage) in front of the main structure (i.e., a house), where it is otherwise not allowed. Property is located at **563 WEST PACES FERRY ROAD, N.W., (a.k.a. 495 West Paces Ferry Road)**, and fronts 256 feet on the north side of West Paces Ferry Road, beginning 256 feet from the northwest corner of West Paces Ferry Road and Tuxedo Road. Zoned R-2 (Single-Family Residential) District. Land Lot 141 of the 17<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Robert S. Walderman**  
**Council District 8, NPU-A**
- V-03-399** Application of **Jonathan Elmore** for a special exception for a 7-foot high “privacy fence” (i.e., a wall) in the required yard setbacks, where up to a 6-foot fence or wall is otherwise allowed. Property is located at **784 HAROLD STREET, N.E.**, and fronts 50 feet on the north side of Harold Street, beginning 123 feet from the northeast corner of Harold Street and Pearl Street. Zoned R-5 (Two-Family Residential) District. Land Lot 20 of the 14<sup>th</sup> District, Fulton County, Georgia.  
**Owner: Christine McKenna**  
**Council District 5, NPU-N**